

HOUSE BILL 1357

By Farmer

AN ACT to amend Tennessee Code Annotated, Title 49,  
Chapter 5, Part 7, relative to personal injury  
sustained by teachers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-5-714, is amended by deleting the  
section and substituting:

(a)

(1) If a teacher is absent from assigned duties as a result of personal injury caused by a physical assault or other violent criminal act committed against the teacher in the course of the teacher's employment activities, then the LEA shall continue to pay the teacher's full salary and full benefits including, but not limited to, health insurance benefits, until the teacher is released by the teacher's physician to return to work or is determined by the teacher's physician to be permanently and totally disabled from returning to work, whichever occurs first.

(2) If, at the time of the personal injury, the teacher is eligible for workers' compensation or other similar type benefits, then the teacher must file a claim for those benefits. Notwithstanding subdivision (a)(1), if a teacher receives benefits under a workers' compensation or similar type benefit during the time the teacher is on leave, then the LEA must pay the difference between the teacher's full salary and the workers' compensation or similar type benefits received.

(3) A teacher on leave shall not receive more than their full salary and full benefits the teacher is eligible to receive under subdivision (a)(1).

(4) A leave of absence for personal injury resulting from an assault or other violent criminal act shall not be charged to the teacher's sick leave, personal leave, or professional leave accumulated or granted pursuant to this part.

(5) As used in this subsection (a), "full benefits" means the benefits the teacher was receiving from the LEA when the teacher was placed on leave due to the teacher's personal injury.

(b) An LEA is not required to pay the teacher's full salary or full benefits, or the difference between the teacher's full salary and the workers' compensation or similar type benefits received, if any, under this section for more than one (1) year.

(c) This section does not discourage, diminish, invalidate, or supersede a policy, benefits package, or contract that provides greater benefits or leave for teachers injured in the course of the teacher's employment activities.

SECTION 2. This act takes effect July 1, 2023, the public welfare requiring it.